



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
CLEAN WATER PROGRAM

October 15, 2012

Reading City Council
City Hall
Attn: Ralph Johnson P.E.
815 Washington St.
Reading, PA 19601

Re: Act 537 Plan Update
APS ID No. 792439
DEP Code No. A1-06001-ACT
Reading City, Berks County

Ladies and Gentlemen:

We have reviewed your August 2012 Act 537 Plan, submitted on 9/25/2012, prepared by SSM Group Inc, and entitled Final Act 537 Special Study. The submission is consistent with the planning requirements given in Chapter 71 of the rules and regulations of the Department. The plan contains flow allocations for the City and its contributing municipalities, and the treatment plant capacity needed was determined to be 20.5 MGD through the Year 2035. Treatment will be improved by upgrading the existing trickling filters, adding a new biological aeration basin, digester upgrades and new solids thickening including centrifuges. The proposed treatment system is adaptable for nutrient removal should it be required in the future. The treatment plant upgrade is scheduled to complete construction by February 28, 2018. The plan also addresses Sections 18A and 18B of the Federal Consent Decree and along with Reading's Capital Improvements Program addresses Section 19 of the Decree.

The plan is approved with the following conditions:

1. The approved project will require an NPDES Permit for the proposed effluent discharge. The permit application must be submitted in the name of the municipality or authority, as appropriate.
2. The approved project will require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. The permit application must be submitted in the name of the municipality or authority, as appropriate. Issuance of a Part II Permit will be based upon a technical evaluation of the permit application and supporting documentation. Starting construction prior to obtaining a Part II Permit is a violation of The Clean Streams Law.

3. Other Departmental permits may be required for construction if encroachment to streams or wetlands will result. Information regarding the requirements for such permits or approvals can be obtained from the Department's Permitting and Technical Services Section, Watershed Management Program at the letterhead address or telephone 717.705.4802.
4. The Department notes the municipal commitment to follow the requirements of the Pennsylvania Fish & Boat Commissions September 2, 2011 letter.
5. The project proponent or applicant must sign the July 21, 2011 Pennsylvania Natural Diversity Index project environmental review receipt on page 3 of 5 regarding project activity within 50 of streams before permitting. Alternately, if the 50 foot avoidance measure cannot be complied with, written documentation from the USFWS that indicates this issue has been addressed to their satisfaction must be submitted to the Department before any permits will be issued.

It is now Reading City's responsibility to implement the 537 Plan in accordance with the schedules contained within the Plan.

Since the Department has approved your Plan, you are now eligible to receive a 50 percent planning cost reimbursement as provided under Section 6 of the Sewage Facilities Act (Act 537). A copy of the reimbursement application is enclosed. You are reminded that reimbursement applications must show detailed cost breakdowns of tasks completed or you will place your reimbursement in jeopardy.

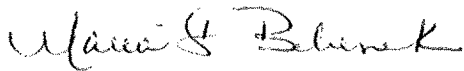
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions, please call Edward Corriveau at 717.705.4805.

Sincerely,



Maria D. Bebenek, P.E.
Program Manager
Clean Water Program

Enclosure

cc: SSM Group Inc
Berks County Planning Commission
Alsace Township
Bern Township
Cumru Township
Kenhorst Borough
Laureldale Borough
Lower Alsace Township
Mohnton Borough
Mt. Penn Borough
Muhlenberg Township
Robeson Township
Shillington Borough
Spring Township
Wyomissing Borough